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TWENTY-FIFTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 4, 2010

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Davis, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prayer was offered by Senator Malepeai.

The Pledge of Allegiance was led by Brittney Infanger, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 3, 2010, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 4, 2010

The JUDICIARY AND RULES Committee reports that [S 1311](#) has been correctly printed.

DARRINGTON, Chairman

[S 1311](#) was referred to the Transportation Committee.

February 2, 2010

The LOCAL GOVERNMENT AND TAXATION Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Lyle R. Cobbs to the Board of Tax Appeals, term to expire June 30, 2012.

HILL, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 3, 2010

The FINANCE Committee reports out [S 1307](#) with the recommendation that it do pass.

CAMERON, Chairman

[S 1307](#) was filed for second reading.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 3, 2010

Dear Mr. President:

I transmit herewith [H 437](#), [H 439](#), [H 440](#), and [H 441](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 437](#), [H 439](#), [H 440](#), and [H 441](#) were filed for first reading.

February 3, 2010

Dear Mr. President:

I return herewith [S 1268](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1268](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Anthony R. McDermott was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Moved by Senator Keough, seconded by Senator Werk, that the report of the Resources and Environment Committee be adopted. The question being, "Shall the motion prevail?"

Roll call vote was requested by Senators Siddoway, Bair, and Pearce.

Roll call resulted as follows:

AYES—Andreason, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Goedde, Hammond, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, Malepeai, McGee, McKenzie, Schroeder, Stegner, Stennett (Stennett), Werk. Total - 24.

NAYS—Bair, Fulcher, Geddes, Heinrich, McKague, Mortimer, Pearce, Siddoway, Smyser, Winder. Total - 10.

Absent and Excused—Davis. Total - 1.

Total - 35.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1312

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE CHILD PROTECTIVE ACT; AMENDING SECTION 16-1619, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE NEED NOT MAKE REASONABLE EFFORTS TO PREVENT THE PLACEMENT OF A CHILD INTO FOSTER CARE WHERE A PARENT HAS COMMITTED AN INJURY TO SUCH CHILD THAT RESULTS IN A SERIOUS OR GREAT BODILY INJURY.

S 1313

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PHYSICIANS AND SURGEONS; AMENDING SECTION 54-1806, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE BOARD'S POWERS.

S 1314

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PHYSICIANS AND SURGEONS; AMENDING SECTION 54-1803, IDAHO CODE, TO REVISE A DEFINITION, TO DEFINE TERMS, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1807, IDAHO CODE, TO REMOVE LICENSURE REQUIREMENTS FOR PHYSICIAN ASSISTANTS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING CHAPTER 18, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1807A, IDAHO CODE, TO PROVIDE REQUIREMENTS RELATING TO PHYSICIAN ASSISTANTS, SUPERVISING PHYSICIANS AND ALTERNATE SUPERVISING PHYSICIANS AND TO ESTABLISH THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE.

S 1315

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO VITAL STATISTICS; AMENDING SECTION 39-250, IDAHO CODE, TO PROVIDE THAT AN APPLICANT HAS THE RIGHT TO PETITION A COURT FOR AN ORDER ESTABLISHING CERTAIN FACTS FOR AMENDING A VITAL RECORD UNDER CERTAIN CIRCUMSTANCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-267, IDAHO CODE, TO PROVIDE THAT AN ORDER ENTERED FOLLOWING CERTAIN PROCEDURE SHALL BE ACCEPTABLE EVIDENCE FOR ESTABLISHING A DELAYED CERTIFICATE OF BIRTH OR DEATH AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 2, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-278, IDAHO CODE, TO PROVIDE PROCEDURE FOR A COURT ORDER FOR DELAYED REGISTRATION OR AMENDMENT OF VITAL RECORD.

[S 1312](#), [S 1313](#), [S 1314](#), and [S 1315](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 437](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 439](#), [H 440](#), and [H 441](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1296](#), by Transportation Committee, was read the second time at length and filed for third reading.

[S 1297](#), by Transportation Committee, was read the second time at length and filed for third reading.

[H 388](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[S 1299](#), by State Affairs Committee, was read the second time at length and filed for third reading.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Stegner, seconded by Senator Kelly, by voice vote, the Senate adjourned at 12:16 p.m. until the hour of 11 a.m., Friday, February 5, 2010.

BRAD LITTLE, President

Attest: JEANNINE WOOD, Secretary